

Order

Michigan Supreme Court
Lansing, Michigan

December 21, 2009

Marilyn Kelly,
Chief Justice

138702 & (23)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

MAXINE HANNERS, Personal Representative
of the Estate of CHARLES HANNERS,
Deceased,
Plaintiff-Appellee,

v

SC: 138702
COA: 287233
Genesee CC: 03-077550-NH

SIVA SANKARAN, M.D.,
Defendant-Appellant.

On order of the Court, the motion for immediate consideration is DENIED. By order of June 5, 2009, this Court granted a stay of trial court proceedings. The application for leave to appeal the January 20, 2009 order of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we REVERSE the order of the Genesee Circuit Court granting the plaintiff's motion to reinstate the complaint, and we REMAND this case to that court for entry of an order denying the motion. See *Kidder v Ptacin*, 284 Mich App 166 (2009). The stay of trial court proceedings is DISSOLVED.

HATHAWAY, J., would deny leave to appeal.



d1214

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 21, 2009

Corbin R. Davis

Clerk